

REST FOR THE *ANIMALS*?  
NON-HUMAN SABBATH REJUVENATION  
IN PENTATEUCHAL LAW

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## INTRODUCTION

People use domesticated animals for a wide variety of purposes: food, wool and fur for clothing, work (draft animals, hunting dogs), entertainment, education, medical experimentation, and companionship. These functions may all be justified ethically and theologically, but unfortunately domestication of creatures has often resulted in their abuse.<sup>1</sup> While abuse is probably as old as the domestication of animals itself, the burgeoning human population since the Industrial Revolution has caused great strain on the natural world. Humans have competed with wild animals for space, and the demand for food (especially meat) has put increasing pressure on farmers to produce food in large quantities and at low cost.

Only in recent years have scholars begun to consider the ethical implications of these developments, which often include inhumane treatment of domestic animals.<sup>2</sup>

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<sup>1</sup> For a study of cruelty to animals, see Matthew Scully, *Dominion: The Power of Man, the Suffering of Animals, and the Call to Mercy* (New York: St. Martin's, 2002).

<sup>2</sup> Domestic animals in contemporary societies are often forgotten or cruelly treated and slaughtered, noticed only when a terrible disease infiltrates whole herds or governments recall meat and dairy. Some animal rights groups are now addressing this incongruity between the treatment of wild and domestic animals, but the discrepancy remains entrenched in society. Whether through ignorance or refusal to consider the evidence, most people think that pigs and cows and chickens are less important or unfeeling than penguins and capybaras and catamounts.

The view that animals are expendable in the face of human need or desire has dominated thoughts about animals for the last two or three centuries. For example, Descartes' metaphysical dualism concluded that "animals, lacking any mind, reason, or true speech . . . are thus essentially bodies driven by strictly mechanical impulses" (William C. French, "Beast-Machines and the Technocratic Reduction of Life: A Creation-Centered Perspective," in *Good News for Animals? Christian Approaches to Animal Well-Being* [ed. Charles Pinches and Jay B. McDaniel; Ecology and Justice Series; Maryknoll, N.Y.: Orbis, 1993], 26).

Religious communities also have been slow to recognize the accountability of humans towards nature, a fact reflected in the paucity of scholarly work concerning the biblical treatment of domestic animals.

Interest in the types of animals mentioned in the Bible, along with those animals present in surrounding regions, is expressed by zoological surveys and faunal analyses.<sup>3</sup> Some scholars have examined the functions of animals in the ancient Near East,<sup>4</sup> and the history of the domestication of animals.<sup>5</sup> But very few biblical scholars have investigated in detail the ethical implications of the domestication of animals and their treatment, or

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<sup>3</sup> For example, see F. S. Bodenheimer, *Animal and Man in Bible Lands* (Collection de travaux de l'Academie internationale d'histoire des sciences 10; Leiden: Brill, 1960); Joachim Boessneck, *Die Tierwelt des alten Ägypten: Untersucht anhand kulturgeschichtlicher und zoologischer Quellen* (Munich: Beck, 1988); Luc Delvaux, and Eugène Warmenbol, eds., *Les divins chats d'Égypte: Un air subtil, un dangereux parfum* (Leuven: Brill, 1991); Jehuda Feliks, "Animals of the Bible and Talmud" in *Encyclopaedia Judaica* (2d ed.; Detroit: MacMillan Reference USA, 1972), 2:166–72; Patrick F. Houlihan, *The Animal World of the Pharaohs* (London: Thames and Hudson, 1996); Patrick F. Houlihan, *The Birds of Ancient Egypt* (Warminster: Aris & Phillips, 1986); Rosalind Janssen and Jack Janssen, *Egyptian Household Animals* (Haverfordwest: Shire, 1989); Jaromir Málek, *The Cat in Ancient Egypt* (rev. ed.; London: British Museum, 2006); Dale J. Osborn, *The Mammals of Ancient Egypt* (Warminster: Aris & Phillips, 1998); W. Pangritz, *Das Tier in der Bibel* (München: Ernst Reinhardt Verlag, 1963).

<sup>4</sup> For example, Oded Borowski, *Every Living Thing: Daily Use of Animals in Ancient Israel* (Walnut Creek, Calif.: AltaMira, 1998).

<sup>5</sup> See Frederick E. Zeuner, *A History of Domesticated Animals* (New York: Harper & Row, 1963); I. L. Mason, ed., *Evolution of Domesticated Animals* (London: Longman, 1984); Juliet Clutton-Brock, *A Natural History of Domesticated Mammals* (Cambridge: Cambridge University Press, 1999); Douglas Brewer, Donald B. Redford, and Susan Redford, *Domestic Plants and Animals: The Ancient Egyptian Origins* (Warminster: Aris & Phillips, 1992); P. Ucko and G. Dimbleby, eds., *The Domestication and Exploitation of Plants and Animals* (Chicago: Aldine, 1969); H. Nachtsheim, *Vom Wildtier zum Haustier* (Berlin: Paul Parey, 1949).

whether the Bible expresses a moral ideal.<sup>6</sup> For example, Christians are accustomed to interpreting the Bible's command for humans to rule over and subdue the earth as permission to exploit animals without hesitation, even if only for amusement or comfort.<sup>7</sup>

In recent years, some have claimed that ancient Israel did not even address the concerns of non-human creatures, and thus the Old Testament (OT) could actually be construed to support the modern mistreatment of animals. Cyril Rodd expresses this most clearly: the OT is "thoroughly anthropocentric, one of the worst vices in the eyes of those championing the rights of animals. . . . In the end, it is difficult not to say, 'Why bother? We have the New Testament and modern moral sensitivities.'"<sup>8</sup>

In contrast to this conclusion, some scholars have attempted to outline a theology of animal care from the OT as the foundation for New Testament (NT) statements.<sup>9</sup>

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<sup>6</sup> There are exceptions, including Peter Riede, *Im Spiegel der Tiere: Studien zum Verhältnis von Mensch und Tier im alten Israel* (Freiburg Schweiz: Universitätsverlag, 2002); Chilkuri V. Rao, *Ecological and Theological Aspects of Some Animal Laws in the Pentateuch* (Delhi: Indian Society for Promoting Christian Knowledge, 2005); B. Janowski, U. Neumann-Gorsolke, and U. Gleßmer, eds., *Gefährten und Feinde des Menschen: Das Tier in der Lebenswelt des alten Israel* (Neukirchen-Vluyn: Neukirchener Verlag, 1993). For a summary of many patristic views on animals, see Stephen H. Webb, *On God and Dogs: A Christian Theology of Compassion for Animals* (New York: Oxford University Press, 1998). See further Roger S. Gottlieb, ed., *This Sacred Earth: Religion, Nature, Environment* (New York: Routledge, 1996).

<sup>7</sup> Among many others, see Andrew Linzey, *Animal Theology* (Urbana, Ill.: University of Illinois Press, 1995); Scully, *Dominion*.

<sup>8</sup> Cyril S. Rodd, *Glimpses of a Strange Land: Studies in Old Testament Ethics* (Edinburgh: T&T Clark, 2001), 233, 309.

<sup>9</sup> Many additional books and articles examining the biblical evidence for a responsible stewardship of the earth have appeared in the last twenty-five years. For examples, see Webb, *On God and Dogs*; Fred Van Dyke, et al, *Redeeming Creation: The Biblical Basis for Environmental Stewardship* (Downers Grove, Ill.: InterVarsity, 1996); Michael S. Northcott, *The Environment and Christian Ethics* (Cambridge: Cambridge University Press, 1996); James A. Nash, *Loving Nature: Ecological Integrity and*

Though the Genesis creation account is usually the starting point, systematic and comprehensive examinations of the OT data regarding the treatment of animals are conspicuously lacking, and the treatment of texts dealing with the issue of creation care is often selective and even superficial.<sup>10</sup> Furthermore, animals are usually considered to function for the benefit and enjoyment of humanity. A small minority of scholars supports the other extreme, reading the OT from the perspective of the earth and even giving preference to animals and plants (and rocks!) over human beings.<sup>11</sup> This raises the question: With such divergent interpretations, is it possible to discern the true biblical attitude towards domestic animals?<sup>12</sup>

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*Christian Responsibility* (Nashville: Abingdon, 1991); Jay B. McDaniel, *Of God and Pelicans: A Theology of Reverence for Life* (Louisville: Westminster John Knox, 1989); Andrew Linzey, *Animal Theology*; R. J. Berry, ed., *The Care of Creation: Focusing Concern and Action* (Downers Grove, Ill.: InterVarsity, 2000).

<sup>10</sup> Most modern supporters of animal care from the Bible begin with Genesis and then jump to the New Testament. See J. R. Hyland, *God's Covenant with Animals: A Biblical Basis for the Humane Treatment of All Creatures* (New York: Lantern, 2000); Robert N. Wennberg, *God, Humans, and Animals: An Invitation to Enlarge Our Moral Universe* (Grand Rapids: Eerdmans, 2003). For further discussion, see Sigurd Bergmann, *Creation Set Free: The Spirit as Liberator of Nature* (trans. Douglas Stott; Sacra Doctrina: Christian Theology for a Postmodern Age; Grand Rapids: Eerdmans, 2005); Richard J. Clifford, "Biblical Sources: Witness to the Interpretive Value of the Earth," in *Earth at Risk: An Environmental Dialogue between Religion and Science* (ed. Donald B. Conroy and Rodney L. Petersen; Amherst, N.Y.: Humanity, 2000); Steven Bouma-Prediger, *For the Beauty of the Earth: A Christian Vision for Creation Care* (Grand Rapids: Baker Academic, 2001); Moshe Weinfeld, *Deuteronomy 1–11: A New Translation with Introduction and Commentary* (AB 5; New York: Doubleday, 1991), 257.

<sup>11</sup> For examples, see Norman C. Habel, ed., *Readings from the Perspective of the Earth* (Cleveland: Pilgrim, 2000).

<sup>12</sup> Some may wonder why it is even necessary to understand the biblical view of animals if non-human creatures lack sentience and emotional lives. But many new studies suggest that humankind knows very little about the experiences, emotions, communication, and consciousness of other living things. Mark Bekoff argues for self-

This paper contends that care for non-human creatures is vitally important in the Hebrew Bible, and that even the very law codes of Israel embody this concern (as well as the myriads of other hints throughout the Pentateuch and the whole Old Testament).

As the Decalogue has often been considered foundational and universally relevant, many scholars have studied it in detail.<sup>13</sup> However, the great majority examine what these commands meant to Israel, how they are to be applied for humanity today, or the supposed historical development of the Decalogue.<sup>14</sup> Even with the prevalence of these

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cognizance, language, family structure, and even morality in some animals (“Animal Passions and Bestly Virtues: Cognitive Ethology as the Unifying Science for Understanding the Subjective, Emotional, Empathic, and Moral Lives of Animals,” *Zygon* 41 [2006]: 71–104). See also L. Shannon Jung, “Animals in Christian Perspective: Strangers, Friends, or Kin?” in *Good News for Animals? Christian Approaches to Animal Well-Being* (ed. Charles Pinches and Jay B. McDaniel; Ecology and Justice Series; Maryknoll, N.Y.: Orbis, 1993), 47–61; Gary A. Kowalski, *The Souls of Animals* (Walpole, N.H.: Stillpoint, 1999); Wennberg, *God, Humans, and Animals*.

<sup>13</sup> For example, on the uniqueness and prominence of the Decalogue, see Weinfeld, *Deuteronomy 1–11*, 252–7.

<sup>14</sup> For a survey of interpretation of the Decalogue, see Gerhard F. Hasel, “The Sabbath in the Pentateuch,” in *The Sabbath in Scripture and History* (ed. Kenneth A. Strand; Washington, D.C.: Review and Herald, 1982), 21–43. Although supporting diachronic analysis, Bernard M. Levinson (Introduction to *Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development* [ed. Bernard M. Levinson; JSOTSup 181; Sheffield: Sheffield Academic, 1994], 9) states that “increasing numbers of scholars, eschewing conventional diachronic analysis as atomistic and sterile, embrace the ‘literary approach’ that views the text as synchronically coherent, even the product of a single author . . . to demonstrate the meaningfulness of its composition.” See also Raymond Westbrook, “What is the Covenant Code?” in *Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development* (ed. Bernard M. Levinson; JSOTSup 181; Sheffield: Sheffield Academic, 1994), 15–36; Walter C. Kaiser, Jr., *Toward Old Testament Ethics* (Grand Rapids: Zondervan, 1983). I tend to agree with Hasel (“The Sabbath,” 28) that with “such insurmountable methodological problems and subjective judgments, it is safe to proceed on the basis of the context of the Decalogue (and the Sabbath commandment) in the book of Exodus itself.” See further Joe M. Sprinkle, *The Book of the Covenant’: A Literary Approach* (JSOTSup 174; Sheffield: JSOT Press, 1994).

anthropocentric studies (from early interpreters up to the present day), only a few have traced how concepts in the Decalogue relate to similar themes in the Book of the Covenant, the Holiness Code, and Deuteronomy.<sup>15</sup>

Thus, in this synchronically focused paper, I have chosen to concentrate on the motif of Sabbath rest as it relates to non-human creatures in Israel's legal material. In comparison to the Decalogue, this concept seems to be broadened in definition and scope in each of the other sections of law. Each pertinent passage referring both to *שבת* and *בהמה* (or a specific animal) within the Decalogue, the Book of the Covenant, the Holiness Code, and Deuteronomy is examined in detail, considering the larger contexts, structures, and word usages.<sup>16</sup> Significant connections to the rest of the Bible are also noted and some contemporary implications of the conclusions are suggested.

## THE LAW CODES

### **The Decalogue (Exod 20:8–11)**

According to J. Durham, even the extreme brevity of this “foundational layer of Yahweh’s expectations” does not warrant the removal of animal care from these ten

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<sup>15</sup> Weinfeld (*Deuteronomy 1–11*, 257) mentions that “the religious and moral principles of the Decalogue take form in various laws of the Pentateuch,” but does not flesh out this statement. Anthony Philips makes a case for the Decalogue as the criminal law for Israel before the exile, rather than a later construction (“The Decalogue: Ancient Israel’s Criminal Law,” in *A Song of Power and the Power of Song: Essays on the Book of Deuteronomy* [ed. D. L. Christensen; Winona Lake, Ind.: Eisenbrauns, 1993], 225–46). Hasel (“The Sabbath,” 31) notes that also “in the Hittite legal tradition . . . short later versions of the same laws may be expanded or contracted.”

<sup>16</sup> A few other passages include both *שבת* and *בהמה* (or a particular animal name). However, these are all in relation to instructions on specific sacrifices and are thus not addressed in this paper (e.g., Num 28:9).

commands.<sup>17</sup> Thus, the disposition towards creaturely Sabbath rest in the law codes of the Pentateuch seems to arise from one word in the Decalogue.<sup>18</sup> Within the list of those who are to do no work on the Sabbath, *בהמה* are mentioned. Thus, in contrast to the modern values placed on animals, non-human creatures in the OT are not just to be eaten, sacrificed, and used for work. Rather, coherent with the sanctity of life expressed through other laws, they are also deserving of rest on the Sabbath.

Indeed, the very structure of the fourth commandment highlights not just the motivation, or cause, or even the injunction itself, but those who are to rest and do no work (by placing the beneficiaries of the Sabbath in the apex of the chiasm).<sup>19</sup>

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<sup>17</sup> John I. Durham, *Exodus* (WBC 3; Waco, Tex.: Word Books, 1987), 300.

<sup>18</sup> Despite a wide range of hypotheses concerning the temporal relationships between the various law codes, many scholars see the Decalogue as existing prior to the more expanded legal sections of the Pentateuch. For some examples, see Rao, *Ecological and Theological Aspects*, 5–54.

<sup>19</sup> Several other scholars have also noticed this chiastic structure. See Mathilde Frey, “The Sabbath in the Pentateuch: An Exegetical and Theological Study” (PhD diss., Andrews University, forthcoming). Hasel (“The Sabbath,” 29) sees this basic structure but with two commands (vv. 9–10b) and two motivational clauses (vv. 10a, 11a). Carol Meyers (*Exodus* [New Cambridge Bible Commentary; Cambridge: Cambridge University Press, 2005], 132) points out that seven categories of living creatures are mentioned as beneficiaries of the Sabbath rest (in C of the structure), highlighting the “totality of household members required to observe the Sabbath.” See also U. Cassuto, *A Commentary on the Book of Exodus* (trans. Israel Abrahams; Jerusalem: The Magnes Press, 1997); William H. C. Propp, *Exodus 19–40: A New Translation with Introduction and Commentary* (AB 2A; New York: Doubleday, 2006), 177.

A—Remember the Sabbath day (שבת), to keep it holy (קדש) (v.8)

B—six days (ששת ימים) you shall labor and do (עשה) all your work, but the seventh day (יום השביעי) is the Sabbath of YHWH your God; (vv. 9–10a)

C— in it you shall do no work: you, nor your son, nor your daughter, nor your male servant, nor your female servant, nor your animals (בהמה), nor your stranger that is within your gates (v. 10b)

B’—for in six days (ששת-ימים), YHWH made (עשה) the heavens and the earth, the sea, and all that is in them, and rested on the seventh day (יום השביעי) (v. 11a)

A’—Therefore YHWH blessed the Sabbath day (שבת) and made it holy (קדש) (v. 11b)<sup>20</sup>

The word *בהמה* usually refers to the high carriage domestic animals.<sup>21</sup> In other words, the focus of the Sabbath included animals along with the human residents of the household. Animals are also to participate in the celebration of God’s creative activity. The other six days, they are to labor along with the rest of the household, but the work (*מלאכה*) is not to be done (*עשה*) on the Sabbath. These last two words are also used in Genesis 2, where God rests from the work (*מלאכה*) that he had done (*עשה*).<sup>22</sup> The Hebrew word *מלאכה* is usually translated as occupation or business, and often refers to

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<sup>20</sup> Unless otherwise noted, all biblical quotations are the author’s.

<sup>21</sup> Some passages hint that perhaps a more comprehensive definition is possible, such as “all animals, both large and small” (Gen 8:1; Lev 11:2–6; Deut 14:4–7). If this is the case, the fourth commandment calls all creatures to join in the Sabbath blessing. Weinfeld (*Deuteronomy 1–11*, 308) seems to hint at this possibility.

<sup>22</sup> Other connections with Genesis 2 are also terminological (*קדש*, *נוח* and possibly *שבת*). H. Ross Cole (“The Sabbath and Genesis 2:1–3,” *AUSS* 41 [2003]: 5–12) discusses evidence for and against the Sabbath as a creation ordinance. He finds that the divine sanctification of the day (by ceasing work not by stopping all activity, literary structures, and the correlation with new human history) shows the human focus, universality, and continuity of the Sabbath. See also Hasel, “The Sabbath,” 21–43.

skilled labor. Scholars have almost exclusively focused on the human aspect of this work, but perhaps the picture is not complete without animals.<sup>23</sup>

Even though the Decalogue seems to be referring only to the domestic animals used for service in Israel (ox, donkey, etc.), it is important to consider the contextual significance of the Decalogue. Some scholars have suggested that the Decalogue is written primarily in the interests of wealthy male householders who were abusing their power over the rest of the community and did not want their position to be threatened.<sup>24</sup> However, the Ten Words from God could also reflect the covenantal leadership ideal of service to others rather than selfish lordship.<sup>25</sup> If this is the case, a provision for non-human Sabbath rest would likely ensure humane treatment on other days as well.<sup>26</sup> In fact, although beyond the scope of this paper, the subsequent law codes do prescribe

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<sup>23</sup> J. Milgrom and D. P. Wright, “מלאכה” *TDOT* 8:325–31. It is very interesting that animals are included in this work that involves more than simply physical labor. Raoul Dederen (“Reflections on a Theology of the Sabbath,” in *The Sabbath in Scripture and History* [ed. Kenneth A. Strand; Washington, D.C.: Review and Herald, 1982], 296–7) states that “by resting on the Sabbath day God is making plain His desire to enter into a personal relationship with His creation.” If not carrying on business as usual on the Sabbath, creatures are freed to participate in this relationship as much as is possible.

<sup>24</sup> See David J. A. Clines, “The Ten Commandments, Reading from Left to Right,” in *Words Remembered, Texts Renewed: Essays in Honour of John F. A. Sawyer*. (ed. John Davies, Graham Harvey, and Wilfred G. E. Watson; JSOTSup 195; Sheffield: Sheffield Academic, 1995), 97–112.

<sup>25</sup> Daniel I. Block, “Reading the Decalogue Right to Left: The Ten Principles of Covenant Relationship in the Old Testament” (paper presented at the Wheaton College Decalogue Conference, Wheaton, Ill., 6 November 2008).

<sup>26</sup> Some scholars have argued that the Decalogue is essentially forgotten in the rest of the Old Testament, but Carol Meyers (*Exodus*, 163–6) finds it prominent and assumed, as God speaks directly to the people, all of the stipulations are found or implicit elsewhere in the Pentateuch (even in Genesis), the commands are apodictic, and each is addressed in second masculine singular (showing the importance of individuals).

kindness and care for animals, even while they are working (e.g., do not muzzle an ox while treading [Deut 25:4], help lost or heavily laden animals [Exod 23:4–5; Deut 22:4]).<sup>27</sup>

The meaning and origins of שבת have been debated by scholars.<sup>28</sup> After considering the other uses of the verb שבת, some contend that the Sabbath does not at all entail cessation of labor or rest.<sup>29</sup> However, this interpretation does not seem to consider the immediate context of the word in the creation passages and Sabbath commandments, in which at least 11 times in the Pentateuch, the Sabbath is associated with the phrases “do not work” or “do not do customary business” on the Sabbath.<sup>30</sup> The motivation given in Exodus 20 for this ceasing of work is that God rested on the seventh day from his work

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<sup>27</sup> In addition, there are hints that the Israelite household should portray (as a microcosm) the proper relationship between Israel’s leaders, people, animals, slaves, foreigners, etc. The leader should care for all domestic animals in the household and provide an opportunity for Sabbath rest, and correspondingly Israel should care for rather than abuse all of the living creatures of the earth. Charles H. H. Scobie (*The Ways of Our God: An Approach to Biblical Theology* [Grand Rapids: Eerdmans, 2003], 101–2) sees the individual Israelite as a corporate member of four other groups, as “concentric circles” of representation. See also Christopher J. H. Wright, *The Mission of God: Unlocking the Bible’s Grand Narrative* (Downer’s Grove, Ill.: IVP Academic, 2006), 291–3.

<sup>28</sup> Carol Meyers (*Exodus*, 173) finds the connection with the Akkadian unsubstantiated, and that Sabbath involves cessation of labor with “no religious or cultic context.” For further discussion of possible Sabbath origins, see Hasel, “The Sabbath,” 21–43.

<sup>29</sup> See G. Robinson, “The Idea of Rest in the Old Testament and the Search for the Basic Character of the Sabbath” *ZAW* 92 (1980): 32–42. In contrast, Durham (*Exodus 19–40*, 332) sees strong connections between the noun שבת and rest, with the noun שבת coming from the verbal root שבת. Duane L. Christenson (*Deuteronomy 1–11* [WBC 6A; Dallas: Word Books, 1991], 118) argues that the verbal root arose from the noun, but maintains the close connections.

<sup>30</sup> See Gen 2:3; Exod 16:23, 29; 20:10; 23:12; 31:15; 34:21; 35:2; Lev 23:3; 25:4; Deut 5:14.

of creation.<sup>31</sup> The verb used for God's rest in v. 11 is נָח, which has connotations of repose and tranquility.<sup>32</sup> As will be explored further for other passages, this may imply that animals were to participate in the Sabbath rejuvenation as well as ceasing from work.<sup>33</sup>

### **The Book of the Covenant (Exod 23:10–12)**

Although often thought to be a random collection of laws,<sup>34</sup> recent work has shown an overarching structure in the Book of the Covenant.<sup>35</sup> A recurring theme for many of the

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<sup>31</sup> As Darby Kathleen Ray (“It’s About Time: Reflections on a Theology of Rest,” in *Theology That Matters: Ecology, Economy, and God* [ed. Darby Kathleen Ray; Minneapolis: Fortress, 2006], 170) states, “God is not a workaholic. In fact, God pauses periodically, predictably, habitually to survey and enjoy God’s work.”

<sup>32</sup> Leonard J. Coppes, “נָח” *TWOT* 2:562; H. D. Preuss, “נָח,” *TDOT* 9: 277–86; John N. Oswalt, “נָח,” *NIDOTTE* 3:56–59.

<sup>33</sup> In spite of the fact that animals were crucial for the day-to-day survival activities of harvesting crops, threshing grain for bread, etc., the Decalogue seeks to ensure that animals are not abused or overworked. See Borowski, *Every Living Thing*.

<sup>34</sup> For a proposed literary history and content analysis of the *mishpatim*, see Bernard S. Jackson, *Wisdom-Laws: A Study of the Mishpatim of Exodus 21:1–22:16* (Oxford, N.Y.: Oxford University Press, 2006). Casper Labuschagne (“The Pattern of the Divine Speech Formulas in the Pentateuch,” *VT* 32 [1982]: 268–96) sees the Book of the Covenant as a deuteronomic addition to the Sinai narrative because of the structure he proposes. See also J. Van Seters, “Cultic Laws in the Covenant Code (Exodus 20,22–23,33) and their Relationship to Deuteronomy and the Holiness Code” in *Studies in the Book of Exodus: Redaction—Reception—Interpretation* (ed. Marc Vervenne; Leuven: Leuven University Press, 1996), 319–46. However, after considering the language, form, thought, and covenantal layout of Exodus 19–24, Dale Patrick (“The Covenant Code Source,” *VT* 27 [1977]: 145–57) finds a deuteronomic editor for the Covenant Code very improbable. See also Rao, *Ecological and Theological Aspects*, 5–54.

<sup>35</sup> Westbrook (“What is the Covenant Code?” 36) convincingly proposes that “[a]pparent inconsistencies should be ascribed to the state of our ignorance concerning the social and cultural background to the laws, not necessarily to historical development and certainly not to an excess of either subtlety or incompetence on the part of their compiler.” Calum M. Carmichael (“A Singular Method of Codification of Law in the

commands is that of concern for the oppressed. Somewhat surprisingly then, at least based on the multiple examinations of the Covenant Code focused solely on humanity, most of Exod 21:28–22:13 involves laws dealing with animals.<sup>36</sup>

In Exod 23:10–12, it seems that the single word of the Decalogue that refers to non-human Sabbath rest is expanded (picking up on the motivation for rest on the Sabbath) to portray further what Sabbath means for animals beyond simply ceasing from work. The extensive parallels between vv. 10–12 and the fourth commandment in Exodus 20 show the connections of this passage to the Decalogue.

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*Mishpatim*,” *ZAW* 85 [1972]: 19–25) has seen an intricate structure in the *mishpatim*, although with similarities in the sequence to Deuteronomy and Proverbs. Eckart Otto sees Exod 23:10–12 as part of the frame of social concern in the larger section of the Covenant Code (“Aspects of Legal Reforms and Reformulations in Ancient Cuneiform and Israelite Law” in *Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development* [ed. Bernard M. Levinson; JSOTSup 181; Sheffield: Sheffield Academic Press, 1994], 187–8). In another work, Otto (*Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* [BZAW 284; Berlin: Walter de Gruyter, 1999], 351–2) contends that the structure of the Covenant Code forms the framework for Deuteronomy 12–26, with Deut 26:2–13 matching the “soziales Privilegierrecht” of Exod 23:10–12.

<sup>36</sup> In addition to the Sabbath and sabbatical year commands, restitution is extra if animals are stolen (Exod 21:33; see also Lev 24:18); animals are responsible for actions—killing, bestiality, etc (Exod 21:28; 22:18; see also Lev 18:23; 20:15); baby animals are to remain with their mother for a time (Exod 22:30); kindness to neighbors involves kindness to their animals (Exod 23:4); burdens of animals should be reasonable (Exod 23:5), etc.

Passage	Exod 20:8–11	Exod 23:10–11	Exod 23:12
Normal life	Six (שש) days do work	Six (שש) years sow and gather	Six (שש) days do work
Rest	The seventh (השביעי) day is the Sabbath (שבת); do no work	Rest and lie fallow on the seventh (השביעה) year	Rest (שבת) on the seventh (השביעי) day
Result	Animals (בהמה) will do no work along with all the rest of the household	The poor will not go hungry	The ox (שור) and donkey (חמר) will rest (נוח)
		The wild animals (חיה) will not go hungry	The stranger will be refreshed (נפש)
Motivation	Because (כי) YHWH rested (נוח) on the seventh day	That the poor and wild animals may eat	<i>In order that</i> your ox and your donkey may rest (נוח) and your male servant and the stranger may be refreshed (נפש)

Interestingly, שבת is used for humanity's Sabbath rest in Exod 23:12, while the animals are to be rejuvenated on the Sabbath in the same way that God rests in Exodus 20 (נוח). This special connection between God and animals seems to imply that God places a high value on all his creatures, not just humanity.<sup>37</sup> Although in other places the Bible is clear that human life is more sacred than animal life (e.g., Gen 9:5–6), this does not mean animals are expendable or to be used and abused. Instead, they are to נוּח on the Sabbath. Perhaps because this connection between animal rest and God's rest is so clear in the text, and yet so unexpected in comparison to current modern conceptions of animals, many scholars seem to be surprised that “even animals” are involved in the Sabbath rest.<sup>38</sup>

<sup>37</sup> Weinfeld (*Deuteronomy 1–11*, 308) notes that Exodus places humans and animals on the same level.

<sup>38</sup> Carol Meyers, *Exodus*, 201. See also Richard D. Nelson, “Deuteronomy 5:1–15,” *Int* 41(1988): 282–7; Victor P. Hamilton, *Handbook on the Pentateuch* (2<sup>nd</sup> ed.; Grand Rapids: Baker Academic, 2005), 193. When considering the sacred calendar laws, Christopher J. H. Wright (*Old Testament Ethics for the People of God* [Downers Grove,

Not just a cessation of work, נָח has connotations of repose, tranquility, and even psychological security.<sup>39</sup> Many new studies are revealing that humankind knows very little about the so-called “anthropomorphic” experiences, emotions, communication, and consciousness of other living things.<sup>40</sup> In addition, many connections and similarities can be drawn between humanity and animals, perhaps more similarities than differences.<sup>41</sup> Although the thoughts and feelings of animals cannot be known with certainty until

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Ill.: InterVarsity Press, 2004], 296) notes that they surprisingly include slaves, but does not mention the inclusion of animals at all. Calum M. Carmichael states that “a puzzle is why the ox and the ass are given consideration first, or even at all” (*The Origins of Biblical Law: The Decalogues and the Book of the Covenant* [Ithaca: Cornell University Press, 1992], 210).

<sup>39</sup> Coppes, *TWOT* 2:562. Oswalt (*NIDOTTE* 3:58) argues that נָח involves safety and “relief from threat or attack.” Others have argued that נָח never means rest from work, only rest from trouble. George Berry compares this word to the Babylonian root referring to the pacification of the anger of the gods (“The Hebrew Word נָח,” *JBL* 50 [1931]: 207–10). Walter Kaiser, Jr. (“The Promise Theme and the Theology of Rest,” *BSac* 130 [1973]: 138) sees other connotations of rest involving “historical (Canaan), soteriological (salvation), and eschatological (the kingdom and our reign with Christ),” where God’s rest is the gift of land and his presence, not so much the Sabbath. However, the context of the word in the Sabbath and creation passages seems to clearly indicate cessation from work, as well as any other meanings of rest from weariness, refreshment, etc. Interestingly, נָח does not seem to mean “rest” in any passage where imperatival forms are used; thus, perhaps נָח requires שָׁבַת in order to mean rest.

<sup>40</sup> Much research has been done recently involving the sentience and emotional lives of animals. For summaries, see Kowalski, *The Souls of Animals*; Bekoff, “Animal Passions and Beastly Virtues,” 71–104; Jung, “Animals in Christian Perspective,” 47–61; Wennberg, *God, Humans, and Animals*.

<sup>41</sup> For instance, animals receive many of the same commands and blessings as do humans (e.g., “be fruitful and multiply” [Gen 1:22]; eat plants [Gen 1:30]; the death penalty for killing a human [Gen 9:5–6]; covenant with God [Gen 9:9–17]). William French argues logically that if animals do not suffer pain, then experiments designed to find out about the pain-causing properties of various chemicals or procedures make no sense; science depends on the similarities between human and animal sensations and reactions (“Beast-Machines,” 32). See also Tom Regan, *Animal Sacrifices: Religious Perspectives on the Use of Animals in Science* (Philadelphia: Temple University Press, 1985).

humans learn the “language” that each animal speaks,<sup>42</sup> the Bible seems to hold the Israelites accountable for the suffering and neglect of animals.<sup>43</sup>

In addition to the corresponding structures mentioned above, Exod 23:10–12 specifically connects the sabbatical year with the Sabbath.<sup>44</sup> In fact, the reason for this time of rest for the land is that the poor and the wild animals may eat. So, not only is the Sabbath rest to pertain to domestic animals, but on some level all creatures are to participate in the results of the Sabbath or connections to it.<sup>45</sup>

In the purpose clause used here to describe the reason for the Sabbath (“in order that [למען] your ox and your donkey may rest”), the focus is shifted from the head of the household to those who would likely be oppressed, the animals (and the servants and foreigners). In addition, the ox and the donkey are specified here, so that these two

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<sup>42</sup> Even ants have been shown to possess incredibly complex “language” abilities, expelling minute amounts of dozens of chemical compounds at differing times and in various amounts to speak to each other in “phrases” and even “sentences.” See Bert Hölldobler and Edward O. Wilson, *The Ants* (Cambridge, Mass.: Belknap Press, 1990).

<sup>43</sup> An interesting further study could compare Prov 12:10, where the righteous know (ידע) the נפש of their animals, to Exod 23:9, where Israel knows (ידע) the נפש of the stranger. The use of נפש also links both passages to the concerns of the Covenant Code for the oppressed and to God’s rest in Exod 31:17.

Indeed, since Israel had been delivered and were to imitate God, all the surrounding laws in the Covenant Code were to protect those most likely to be victims in society. Bruce Rosenstock (“Inner-Biblical Exegesis in the Book of the Covenant: The Case of the Sabbath Commandment,” *Conservative Judaism* 44 [1992]: 37–49) notices the connection between Exod 23:9 and Exod 23:12, both having נפש as the root for the alien. However, he regrettably does not touch on the connections between the rest for animals and God’s rest. See also U. Cassuto, *A Commentary on Exodus*.

<sup>44</sup> Carol Meyers (*Exodus*, 202) states that Exodus 23 “[synchronizes] the concept of rest for the land with Sabbath rest for humans and animals on the *seventh* day.”

<sup>45</sup> U. Cassuto (*A Commentary on Exodus*, 301) considers these verses to be Hebrew poetry with rhythmic parallelism.

animals who likely worked the hardest of all during the week would be certain to receive proper Sabbath treatment. One could not say that the ox and the donkey did not count as **בהמה** in order to keep working them seven days a week.

In fact, in contrast to the Decalogue in Exodus 20 and Deuteronomy 5, where servants are mentioned before animals (and Leviticus 25 where servants and strangers are mentioned before animals), here animals are the first category of recipients of Sabbath blessings.<sup>46</sup> These three groups seem to be interchangeable as far as priority in the Sabbath passages, and the different orderings may be related to the focus and emphasis of each passage. As Exodus 23 and the Book of the Covenant specifically emphasize care for the downtrodden, the apparent prioritization of animals reflects this focus. Perhaps animals would be the ones most likely to suffer abuse or neglect, even more than servants or strangers, since they cannot speak humanity's language. Thus, the Bible shows concern for the very lowest-of-the-low (in humanity's conception, at least).<sup>47</sup>

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<sup>46</sup> The Decalogue order is servants, animals, strangers; the Covenant Code order is animals, servants, strangers; the order in Leviticus 25 is servants, strangers, animals; Deuteronomy 5 returns to the order of servants, animals, strangers. This could be another interesting study, considering the overall themes of each legal section in comparison to the order of Sabbath beneficiaries.

<sup>47</sup> Martin Noth (*Exodus: A Commentary* [Philadelphia: The Westminster Press, 1962], 190) states that animals are not really in view here, but only "the sense of a return to something original. Hence we could also understand that express concern is taken for animals. . . not because they were the object of a love which we can hardly presuppose in the ancient world, but because they are an integral part of the creation which from time to time is to return to its 'rest.'" However, it seems that the mention of specific vulnerable classes emphasizes the universality of the Sabbath in this passage. See also H.R. Cole, "The Sabbath and the Alien," *AUSS* 38 (2000): 223–9; Nelson, "Deuteronomy 5:1–15," 282–7.

### The Holiness Code (Lev 25:2–7)

Although the Sabbath commandment is not reiterated in Leviticus in the same manner as it was in the Book of the Covenant, observance of the Sabbath is assumed in several instances, and is mentioned more specifically in regards to the festivals and the Day of Atonement (Lev 16:31; 19:3, 30; 23:3, 8, 11, 15–16, 32, 38; 24:8; 26:2). However, in comparison to Exodus, the concept of the sabbatical year seems to take on a greater significance in the Holiness Code (Leviticus 19–26).<sup>48</sup>

Phrases and wording again correspond to the fourth commandment of the Decalogue as well as Exod 23:10–12, as parallels are drawn between the resting of the land itself on the seventh year and the command to rest on the seventh day.<sup>49</sup>

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<sup>48</sup> Jacob Milgrom (*Leviticus 23–27: A New Translation with Introduction and Commentary* [AB 3B; New York: Doubleday, 2001], 2157) also notes parallels between this passage and Lev 23:3a. Interestingly, Calum Carmichael (“The Sabbatical/Jubilee Cycle and the Seven-Year Famine in Egypt,” *Bib* 80 [1999]: 224–39) believes that the Sabbatical year cycle commemorates the famine-like conditions for Joseph in Egypt. F. Ross Kinsler (“Leviticus 25,” *Int* 53 [1999]: 395–9) connects the Exodus to the Jubilee and the care of creation. Lee Casperson (“Sabbatical, Jubilee, and the Temple of Solomon,” *VT* 53 [2003]: 283–96) finds this suspension of agriculture on the sabbatical and jubilee years to be the most important function, but also recognizes several others. Sidney Hoenig concludes that the jubilee is only 49 days, as 2 years off for crops would be extreme hardship (“Sabbatical Years and the Year of Jubilee,” *JQR* 59 [1969]: 222–36). However, newer research on the ecology of Israel states that without this rest for the land every seven years, all the topsoil would be depleted quickly and the arability of the land would be lost (Aloys Hüttermann, *The Ecological Message of the Torah: Knowledge, Concepts, and Laws Which Made Survival in a Land of “Milk and Honey” Possible*. Atlanta: Scholars Press, 1999).

<sup>49</sup> Bernard M. Levinson (“The Birth of the Lemma: the Restrictive Reinterpretation of the Covenant Code’s Manumission Law by the Holiness Code (Leviticus 25:44–46),” *JBL* 124 [2005]: 621) states that “the author of Leviticus 25 here cites, summarizes, and revises the older Covenant Code Law.”

Passage	Exod 20:8–11	Exod 23:10–11	Exod 23:12	Lev 25:2–7
Normal life	Six (שש) days do work	Six (שש) years sow and gather	Six (שש) days do work	Six (שש) years sow and prune and harvest
Rest	The seventh (השביעי) day is the Sabbath (שבת); do no work	Rest and lie fallow on the seventh (השביעה) year	Rest (שבת) on the seventh (השביעי) day	The land will keep (שבת) a Sabbath (שבת) to YHWH; on the seventh (השביעי) year do not sow or prune or reap or gather
Result	Animals (בהמה) will do no work along with all the rest of the household	The poor will not go hungry	The ox (שור) and donkey (חמור) will rest (נוח)	All living creatures (including בהמה and חיה) will not go hungry
		The wild animals (חיה) will not go hungry	The stranger will be refreshed (נפש)	Sabbath rest (שבתון) for the land
Motivation	Because (כי) YHWH rested (נוח) on the seventh day	That the poor and wild animals may eat	<i>In order that</i> your ox and your donkey may rest (נוח) and your male servant and the stranger may be refreshed (נפש)	That the yield (שבת) will be food for you, your servants, strangers, domestic animals, wild animals
				Because it is a year of rest (שבתון) for the land

Although this passage does not refer directly to the weekly Sabbath, the parallels with Exod 20:8–11 and Exod 23:10–12 correlate strongly with the concepts, vocabulary, and even specific phrases that are used in relation to the weekly Sabbath.<sup>50</sup> What is striking about this passage along with Exod 23:10–12 is the inclusion of the wild animals, so that “no one living in Israel is excluded.”<sup>51</sup> The notion of care even for the animals

<sup>50</sup> E. Haag (“שֶׁבֶת” *TDOT* 14:383) notes that Exodus 23 refers not only to rest for the land, “but to a process in which every seven years the cultivation of the land comes to a conclusion comparable to the cessation of work on the seventh day.” Milgrom (*Leviticus 23–27*, 2154–7) also compares these two passages in chart form.

<sup>51</sup> John E. Hartley, *Leviticus* (WBC 4; Dallas: Word Books, 1992), 434.

further removed from contact with humans (and that might even hurt and kill humans) makes it clear how much God cares for all of his creatures.

The following structure emerged after further examination of this passage:

- A—land will keep a שבת to YHWH (v. 2)
- B—six years (שש שנים)—sow (זרע) field, prune (זמר) vineyard, gather fruit (v. 3)
- C—seventh year is a שבת שבתון for the land, a שבת to YHWH (v. 4a)
- B’—seventh year—do not sow (זרע) or prune (זמר) or reap or gather (vv. 4b–5a)
- A’—year of שבתון שבת for the land—yield (שבת) of this is for humans, בהמה and חיה which are in your land (vv. 5b–7)<sup>52</sup>

Interestingly, the focus of this passage seems to be the שבת שבתון for the land, although it is to YHWH.<sup>53</sup> This intensifying sabbath terminology (שבת שבתון) is rare in the

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<sup>52</sup> Although A and A’ are closely linked with C, the unique phrase שבת שבתון seems to set C apart. Another possible structure for this passage is a block parallelism:

- A—land will keep a שבת to YHWH
- B—six years sow field (זרע), prune vineyard (זמר)
- C—gather fruit
- A’— שבת שבתון for the land, שבת to YHWH
- B’—seventh year—do not sow field (זרע) or prune vineyard (זמר)
- C’—do not reap what grows of its own, do not gather; food is for humans and animals

Although this takes into consideration the threefold mention of both grapes and harvest, it does not seem to deal adequately with the prominent term שבת שבתון in v. 4, or show any connections other than conceptual between C and C’. Milgrom (*Leviticus 23–27*, 2158) sees a chiasm within v. 6, as well as between v. 2 and v. 4.

<sup>53</sup> The land has a special focus here, implying that the Sabbath (and sabbatical year) rest and care for creation goes beyond domestic and wild animals to all that God has made. Indeed in 2 Chron 36:21, the land was finally able to enjoy the Sabbaths that had been denied it by disobedient Israel. Aloys Hüttermann (*The Ecological Message of the Torah*, 149) connects the sabbatical year with the protection of soil fertility and water availability, stating that the Israelites lived in a land that was not well-suited to agriculture but needed special care, as the milk and honey “translated into modern plant sociology and knowledge of succession” refer to “a macchia, a region of Mediterranean hard scrub.” He considers the Torah to contain the keys to biological as well as spiritual

Pentateuch and occurs only five other times (Exod 31:15; 35:2; Lev 16:31; 23:3, 32), two in relation to the weekly sabbath and two regarding the Day of Atonement.<sup>54</sup>

Thus, the Holiness Code expands the Sabbath commandment in the Decalogue in similar ways as Exodus 23 (e.g., application to both domestic and wild animals), but extends the benefits to the land as well.<sup>55</sup> Clearly the land is not alive in the same way as oxen or donkeys, but it is also deserving of a sabbath rest.<sup>56</sup>

### **The Decalogue Recapitulated (Deut 5:12–15)**

In Deuteronomy 5, the Decalogue is presented in speech or sermon form, and non-human rest on the Sabbath is treated slightly differently than in Exodus 20.<sup>57</sup> A chiasmic structure similar to Exod 20:8–11 can be noted in the Deuteronomistic version of the Sabbath

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life. In a surprising twist of focus, Northcott (*The Environment and Christian Ethics*, 187) discusses the sabbath for the land as vital to the survival of the covenant community, but does not mention animals!

<sup>54</sup> E. Haag (“שַׁבָּת,” *TDOT* 14:389) refers to this phrase that is “in superlative construction. . . as an intensification” of Sabbath.

<sup>55</sup> Gordon J. Wenham (*The Book of Leviticus* [Grand Rapids: Eerdmans, 1979]) notes that the sabbath for the land constitutes the first of three main sections in Leviticus 25. He considers the possibility that the Israelites became nomads during the sabbatical years, picking and gathering whatever was available.

<sup>56</sup> Leviticus 26:31–44 also includes the concept of sabbath rest for the land, but animals are not specifically mentioned in relation to sabbath in that passage.

<sup>57</sup> Peter C. Craigie (*The Book of Deuteronomy* [Grand Rapids: Eerdmans, 1976]) finds the Decalogue to be the heart of the message of Deuteronomy, but as the legal aspect of the covenant, it is law for those already redeemed. U. Cassuto (*A Commentary on Exodus*, 250) comments that the addition of ox and donkey in Deuteronomy 5 is “extension for the sake of particularization.” Weinfeld (*Deuteronomy 1–11*, 308) notes the influence of Exodus 23 here.

commandment, again with the beneficiaries of the Sabbath at the center.<sup>58</sup> The parallels between these passages continue to build as follows.

Passage	Exod 20:8–11	Exod 23:11	Exod 23:12	Lev 25:2–7	Deut 5:12–15
Normal life	Six (שש) days do (עשה) work	Six (שש) years sow and gather	Six (שש) days do (עשה) work	Six (שש) years sow and prune and harvest	Six (שש) days do (עשה) work
Rest	The seventh (השביעי) day is the Sabbath (שבת); do no work	Rest and lie fallow on the seventh (השביעה) year	Rest (שבת) on the seventh (השביעי) day	The land will keep (שבת) a Sabbath (שבת) to YHWH; on the seventh (השביעי) year do not sow or prune or reap or gather	The seventh (השביעי) day is the Sabbath (שבת); do no work
Result	Animals (בהמה) will do no work along with all the rest of the household	The poor will not go hungry	The ox (שור) and donkey (חמר) will rest (נוח)	All living creatures (including בהמה and חיה) will not go hungry	The ox (שור) and donkey (חמר) and all animals (בהמה) will do no work along with the rest of the household
		The wild animals (חיה) will not go hungry	The stranger will be refreshed (נפש)	Sabbath rest (שבתון) (שבת) for the land	You and your male and female servants will rest (נוח)
Motivation	Because (כי) YHWH rested (נוח) on the seventh day	That the poor and wild animals may eat	In order that your ox and your donkey may rest (נוח) and your male servant and the stranger may be refreshed (נפש)	That the yield (שבת) will be food for you, your servants, strangers, domestic animals, wild animals	Because YHWH delivered you from slavery in Egypt; therefore (על-כן) keep the Sabbath (שבת)
				Because it is a year of rest (שבתון) for the land	That your male and female servant may rest (נוח) as you do

The main difference in this passage in comparison to Exodus 20 is the motivation for the Sabbath. The Israelites are reminded that they were once slaves as well, but YHWH delivered them. Thus, in remembrance of their deliverance, they are to keep the Sabbath. In addition, they are to have special concern for their own servants. In order to

<sup>58</sup> Hasel, “The Sabbath,” 21–43. Kaiser (*Toward Old Testament Ethics*) sees Deuteronomy 12–26 fleshing out each commandment of the Decalogue even further, with Deut 14:28–16:17 flowing forth from the Sabbath commandment.

continue to remind Israel from whence they have come, the servants are mentioned twice in v. 14 as deserving rest on the Sabbath just as much as others.

In addition, this focus on the downtrodden and potentially oppressed members of society also explains this most comprehensive list of animals in the passages concerning non-human Sabbath rest. As noted above, the ox and donkey were more likely to be abused, exploited, or oppressed.<sup>59</sup> By mentioning them particularly in addition to all the **בהמות**, the focus on deliverance is heightened and the resulting duty of sensitivity to the downtrodden is highlighted. Deuteronomy contextualizes the liberation to animals. Thus, although animals within the household are focused upon in conjunction with the Sabbath, and the neighbors' animals are not mentioned specifically (unlike other passages concerning animal care, such as Exod 21:33; 23:4, 5; Deut 22:1, 4), this passage seems to suggest more than just an anthropocentric self-preserving care for the work animals.

Therefore, both statements of the Decalogue emphasize important aspects of the reasons behind God's covenant ideals for his people. The witnesses of original creation and God's deliverance from Egypt provide motivations par excellence for Sabbath keeping.

#### OTHER BIBLICAL CONNECTIONS

The care for animals that is portrayed in the legal passages of the Pentateuch<sup>60</sup> in regard to rest on the Sabbath is a theme that can be traced through the rest of the Old Testament

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<sup>59</sup> Borowski, *Every Living Thing*, 232–3. Charles R. Biggs (“Exposition and Adaptation of the Sabbath Commandment in the OT,” *ABR* 23 [1975]: 13–23) notes that the human and social aspects have been expanded to include animals.

<sup>60</sup> Although not examined in this paper because they do not involve the Sabbath, the dietary laws in Leviticus 11 and Deuteronomy 14 also seem to reflect great care for

and into the New Testament with continuity. Although many texts imply or allude to this care without explicit mention, others jump out as picturing God's love and concern for his creatures and humanity's responsibilities to care for and provide rest for animals.<sup>61</sup>

Although linkages between Sabbath rest and animals in the rest of the Old Testament are not directly stated, in the New Testament Jesus refers to the laws concerning animal care on the Sabbath. In response to the accusation that his healing on the Sabbath broke the fourth commandment, Jesus replied in Matt 12:11 that sheep (or

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animals and knowledge of the fragile ecosystems in which Israel dwelt. In a provocative and convincing fashion, Hüttermann (*The Ecological Message of the Torah*, 77) argues that many animals were prohibited as unclean meat in order to protect them, and the Israelites were to harvest "those resources which do not cause any ecological harm but otherwise leave nature intact and alone as much as possible."

<sup>61</sup> The creation narratives (Genesis 1–3) set the foundational mandate for creation care. Additionally, in passages like Jonah 4:11 and the flood story (Genesis 6–9), it is obvious that humans are not the only creatures for whom God shows compassion. According to Hüttermann (*The Ecological Message of the Torah*, 12–58), no other flood stories in the ANE depict humans or gods caring about and saving the animal world.

Interestingly, God seems to equate animals to humans in many ways. In Exod 19:3 (and Exod 34:3), the animals were also not to touch Mt. Sinai or they would be killed. In Num 8:17, God seems to consider animals as part of the children of Israel. Psalm 36:7 states that God saves both man and **בהמה**. In Jonah 3:7–8, animals are to fast along with humans and cry out to God for salvation from the destruction of Nineveh. Job 12:7–10 implies that animals know that God is in charge and directing events of the world, even the lives of every living thing.

As illustrated in the Sabbath commandments, humans are to imitate God in his care for animals. In Prov 12:10, the one who is righteous is the one who cares for the **נפש** of domestic animals. The noun **נפש** is used broadly to describe everything from personhood to specific individual desires. Ellis Brotzman ("Man and the Meaning of **נפש**," *BSac* 145 [1988]: 400–409) notes ten semantic range categories for **נפש**, with the major ones being appetites, persons, living being, pronouns, and emotions. Although the usage for animals is considered a minor meaning, "man's distinctiveness [is] not derived from mere use of the word" (Brotzman, "Man," 407). Although it is not clear which meaning is referred to here, it is surely more than the basic needs of food and water that many would automatically assume by the usual English translation of "life." More than just making sure the animals live (or are humanely slaughtered), a righteous man knows the "soul" (as it were) of his animal: the desires, appetites, inner living being, even emotions, passions and personality.

oxen and donkeys in Luke 14:5) could be lifted out of a pit on the Sabbath. This implies that if animals should be cared for on the Sabbath, how much more should humanity!<sup>62</sup> Although this is not an exact citation of the law in Deut 22:4, Jesus' *qal wahomer* argument depends upon the spirit of animal rest and care that is portrayed in the Sabbath commandments of the Pentateuch.

In Luke 13:15, Jesus also mentions the well-being of oxen on the Sabbath who need water to drink, and therefore promotes the healing of humans on the Sabbath as well. By mentioning the loosing of oxen from their stalls in order to give them a drink, this passage seems to assume that the oxen were not working on the Sabbath (as commanded in Exod 20:8–11; Exod 23:10–12; Deut 5:12–15), but remained in their stalls resting from their labors. So, even in Jesus' day, the importance of rest and repose for animals on the Sabbath was maintained. Again, though Jesus is not directly quoting the

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<sup>62</sup>“If what is involved in the sabbath rescue of the animal is only prudent husbandry, then the extension to the afflicted human, who of course can wait, does not follow” (George L. Frear, Jr., “Caring for Animals: Biblical Stimulus for Ethical Reflection” in *Good News for Animals? Christian Approaches to Animal Well-Being* [ed. Charles Pinches and Jay B. McDaniel; Ecology and Justice Series; Maryknoll, N.Y.: Orbis, 1993], 7). See also Donald A. Hagner, *Matthew 1–13* (WBC 33A; Dallas: Word Books, 1993), 333–4. Apparently, some rabbis did not condone the rescue of an animal that fell in a pit on the Sabbath, but “they at least allowed it to be made comfortable in the pit,” and thus Jesus “was on common ground with His theological opponents in approving humane action to animals in need” (Walter F. Specht, “The Sabbath in the New Testament,” in *The Sabbath in Scripture and History* [ed. Kenneth A. Strand; Washington, D.C.: Review and Herald, 1982], 98–99). Jesus’ reasoning is actually dependent on the similarities between humans and animals, rather than highlighting the differences (Richard Bauckham, “Jesus and Animals I: What did he Teach?” in *Animals on the Agenda: Questions About Animals for Theology and Ethics* [ed. Andrew Linzey and Dorothy Yamamoto; Urbana, Ill.: University of Illinois Press, 1998], 47).

Old Testament in Luke 13, his statements reflect the spirit of Sabbath rest for all creatures shown clearly in the Pentateuch.<sup>63</sup>

#### CONTEMPORARY SIGNIFICANCE OF CONCLUSIONS

The four passages that connect animals with the Sabbath in the Pentateuch can elucidate several points about domestic animal care in ancient Israel (and perhaps imply responsibilities for modern humans regarding animal rest and care). First of all, throughout the exposition of the Sabbath commandment and the sabbatical year in the law codes, domestic animals are almost always included. Although not mentioned in every passage regarding the Sabbath, the clearest commands involve animals in Sabbath rest.

Second, this involvement does not just entail cessation of labor on the Sabbath, although the law codes do speak elsewhere of care for animals' needs, easing their burdens, freedom to eat while working, etc. Exodus 23:10–12 emphasizes repose, rejuvenation, and possibly even mental/emotional tranquility for animals (beyond simply rest from physical labor on the Sabbath) by the use of the same verb (נָחַ) that was applied to God's rest in Exodus 20, as well as the purpose clause of Sabbath observance that specifically refers to animals before servants and strangers. These hints of the high priority of animal life in the Bible also command a caring responsibility from humans

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<sup>63</sup> See John Nolland, *Luke 9:21–18:34* (WBC 35B; Dallas: Word Books, 1993), 724–5, 745–7. In addition, animals are often mentioned in Jesus' parables, and some of the first creatures to view the Messiah were animals in the stable. For other references to animals by Jesus, see Gary L. Comstock, "Pigs and Piety: A Theocentric Perspective on Food Animals," in *Good News for Animals? Christian Approaches to Animal Well-Being* (ed. Charles Pinches and Jay B. McDaniel; Ecology and Justice Series; Maryknoll, N.Y.: Orbis, 1993), 105–27.

towards animals (perhaps even towards their very inward beings [Prov 12:10]), and certainly imply humane treatment on every day of the week.<sup>64</sup>

Third, although animals may not observe the Sabbath in the way that humans do, and are not equal to humans in the sacredness of their lives (Gen 9:5–6; Lev 24:21), in many other ways animals have the same rights and privileges as humanity. Specifically, this similarity is shown in the application of the sabbatical year (connected to the blessing of the Sabbath) to the wild animals as well as domestic creatures (and even the land itself!). Perhaps the reason wild animals are not included in the Sabbath commandments is that they already have the privilege of rest on the Sabbath as they do not work for humans. As mentioned above, domestic animals are most likely to be taken for granted and worked round the clock, so that humans can rest on the Sabbath. Thus, care for those who are often oppressed and heavy-laden extends to the animal kingdom as well as human servants and slaves.

In conclusion, concern for animals is a clearly identifiable theme in Pentateuchal law, and in the divinely ordered “creation-inclusive theology,”<sup>65</sup> humans must insure that even those animals that are crucial for humanity’s survival will be able to rest and be

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<sup>64</sup> Much has been written about what individuals can do to help the suffering of animals. For some examples, see Gary L. Francione, *Animals, Property, and the Law* (Philadelphia: Temple University Press, 1995); McDaniel, *Of God and Pelicans*; Andrew Linzey, *Animal Gospel* (Louisville: Westminster John Knox Press, 1998); Paul Waldau and Kimberley Patton, eds., *A Communion of Subjects: Animals in Religion, Science, and Ethics* (New York: Columbia University Press, 2006).

<sup>65</sup> Jay B. McDaniel (“A God Who Loves Animals and a Church That Does the Same,” in *Good News for Animals? Christian Approaches to Animal Well-Being* [ed. Charles Pinches and Jay B. McDaniel; Ecology and Justice Series; Maryknoll, N.Y.: Orbis, 1993], 77) urges that we must care about each individual animal with eyes just as much as the rainforests.

refreshed on the Sabbath.<sup>66</sup> Along these lines, humanity cannot thus dismiss care for animals on biblical grounds by reasoning that the earth will eventually burn anyway. Other living creatures are co-inhabitants of the world, and as they also depend heavily on its ecosystems for survival, the Bible holds humankind responsible for the preservation of the earth and the care of all living creatures.

Although much further investigation needs to be done in this area, a few questions came to the forefront during this study. How do the Sabbath commandments relate to non-working domestic animals? Were wild animals simply the beneficiaries of the rest for the land in Leviticus 25, and if so, does the land take priority over the creatures? In addition, how should rest for the land be understood in the light of the connection between God's rest and animal rest? As domestic animals are often associated and connected with human servants, in what ways are animals actually considered part of the household in the Bible? Does this association with humanity make them responsible for keeping the Sabbath on some level?

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<sup>66</sup> Recent studies have confirmed this picture of animal care seen in Pentateuchal law concerning the Sabbath: the Israelites were to care for the earth as a good king, representing how God would care for it. See Huw Spanner, "Tyrants, Stewards—or Just Kings?" in *Animals on the Agenda: Questions About Animals for Theology and Ethics* (ed. Andrew Linzey and Dorothy Yamamoto; Urbana, Ill.: University of Illinois Press, 1998), 216–24; J. A. Loader, "Image and Order: Old Testament Perspectives on the Ecological Crisis" in *Are We Killing God's Earth? Ecology and Theology*. (ed. W. S. Vorster; Proceedings of the Eleventh Symposium of the Institute for Theological Research (UNISA); Pretoria: University of South Africa, 1987), 6–28.

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